

Mr. LOTT. Madam President, I note that we had hoped this week to complete action on some additional judicial nominations, to complete at least two appropriations bills and begin a third one, and have the first cloture vote on China PNTR. It is still our hope, but at this time, at least, there is objection from our colleagues on the Democratic side of the aisle to proceeding on appropriations bills. We have a lot we can do this week, and I certainly hope we will do that. Under this action we have just taken, we can have some discussion by the chairman of the Treasury, Postal Service appropriations subcommittee. I see the manager, the chairman of the subcommittee, is here. I am sure he will want to make some comments and outline what is included in the bill.

#### TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2001—MOTION TO PROCEED

##### CLOTURE MOTION

Mr. LOTT. Madam President, I move to proceed to H.R. 4871, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

##### CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to calendar number 704, H.R. 4871, a Bill Making Appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 2001, and for other purposes:

Trent Lott, Ben Nighthorse Campbell, Pat Roberts, Richard G. Lugar, Jesse Helms, Jeff Sessions, Larry E. Craig, Jon Kyl, Craig Thomas, Don Nickles, Strom Thurmond, Michael Crapo, Mitch McConnell, Fred Thompson, Judd Gregg, and Ted Stevens.

Mr. LOTT. Madam President, I repeat my hope that we will be able to work out an agreement on how to proceed and that a vote on the cloture motion will not be necessary on Wednesday morning. But until we can get that done, we need to get the proceedings started. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. I now withdraw the motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

#### INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2001—MOTION TO PROCEED

Mr. LOTT. Madam President, we also need to get the intelligence authorization bill done this week. I don't think it will take that long to complete it, although I suspect there are at least a couple issues that will have to be debated and voted on. I had the impression maybe half a day or a night would be all that would be necessary to complete this. I am hoping maybe sometime even Thursday we might complete it, and before, if possible.

I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 654, S. 2507, the intelligence authorization bill.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, Madam President, I say to my friend, the majority leader, on the minority side we also want to move on. We think there is a lot of work that could be done and should be done. For example, on Friday, with the energy and water appropriations bill, there was a provision in there that is very objectionable to a number of people on this side of the aisle, not the least of whom is the minority leader. The minority leader said take that out; it can be dealt with in conference. We think that is the case.

That is my bill. It is a very important bill, almost \$23 billion. All of this money is discretionary money. It is a very important appropriation bill on which Senator DOMENICI and I have worked. We wish we could move that forward. We think it should move forward.

I also say to my friend, the majority leader, I think it is unfortunate that we have been unable today to deal with Senator HATCH. I understand there is a big celebration in Utah, Pioneer Day, on July 24, and he is committed to be there. I hope this evening or tomorrow we can sit down and talk. For example, I believe the judge's name is White, a Michigan judge, who has been before the committee and has not had a hearing; the nomination had been sent to the committee almost 1,200 days ago. In meeting with Senator HATCH and learning what his problems are, we will try to be as understanding as we can of his problems. I hope he will be as understanding of our problems as we are of his.

Senator DASCHLE and I said this on Thursday: We appreciate very much the work the majority leader has done. As powerful as he is, he still cannot overrule all the committee chairmen. They are here by virtue of their seniority. It makes it very tough to do that. We want to work to move this along. We believe the energy and water bill could move in a day or a day and a half.

Treasury-Postal: We don't believe that is a difficult bill. There are a cou-

ple touchy issues on that, but we believe we could work with the majority and move that along. We don't want it to appear that we are trying to hold things up. I think we have a pretty good record the past month or so of working with the leader.

In short, we hope in the meeting with Senator HATCH, either tonight or tomorrow, we will be in a position where we can expedite the rest of the work this week and move on to other things.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Madam President, I want to note that I did not move to proceed to the energy and water appropriations bill. I did that on purpose. I did it out of respect for the Democratic leader and the objection he has made to a particular section and the fact that it is obviously something very important to him and the Senators from North Dakota and South Dakota and other States.

But there are Senators on both sides of the aisle who actually support section 103 because of the impact this might have on the Missouri downriver in States such as Missouri, Illinois, and perhaps even, most importantly, as far as my own State of Mississippi. I talked to Senator DOMENICI and Senator DASCHLE this morning. I still hope we can find a way to resolve that. If that one issue can be resolved, I think that bill might take a couple hours and could be completed. I still have that on our list as one of the three bills we really must do this week.

With regard to the judges, I have made a commitment to try to continue to move judges who have been reported by the Judiciary Committee. I continue to urge the chairman of the Judiciary Committee to act on those judges who could be reported out. They did report out five judges last week, including a circuit judge from the State of Nevada who will wind up being on the Ninth Circuit Court of Appeals in California, I guess, and so I think I have been keeping my word to try to move those.

I believe the Judiciary Committee is prepared to have a hearing or is having a hearing tomorrow and will move at least four more judges tomorrow. I think it would be unfortunate if those four got tangled up in these difficulties we are outlining now.

It is very hard for me to understand why these appropriations bills and this authorization bill, the intelligence authorization bill, would be held up over one circuit court judge or even two circuit court judges who may still be acted on or have hearings and be reported out. But the majority leader cannot just direct the Judiciary Committee or the chairman that he must report a specific judge. I think it is responsible for me to say: Report those

judges where you can and that can be cleared and voted on. But I am not now in a position to guarantee that a specific one judge will be reported by the Judiciary Committee. We will keep working with the chairman of the committee, and hopefully some solution can be found. I think we can find it.

In the meantime, we are losing a day here. I hope we don't lose all day tomorrow. But that is our goal this week, to try to get some judges, try to do two or three appropriations bills, try to do intelligence authorization, and to begin debate on the China PNTR issue.

I guess there is no option for me at this time, though, but to move to proceed to the bill.

#### CLOTURE MOTION

Mr. LOTT. Madam President, I move to proceed to S. 2507, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to calendar number 654, S. 2507, the Intelligence Authorization Act for Fiscal Year 2001:

Trent Lott, Richard Shelby, Connie Mack, Ben Nighthorse Campbell, Michael D. Crapo, Rick Santorum, Wayne Allard, Judd Gregg, Christopher Bond, Conrad Burns, Craig Thomas, Larry E. Craig, Robert F. Bennett, Orrin Hatch, Pat Roberts, and Fred Thompson.

Mr. LOTT. Madam President, this cloture vote will occur on Wednesday, unless we are already in a post cloture situation on the Treasury-Postal Service appropriations bill, or unless, of course, we have done away with the procedure and found a way to go directly to the substance of the bill. And, again, I hope we can do that.

I ask unanimous consent that the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Madam President, I now withdraw the motion to proceed.

The PRESIDING OFFICER. The Senator has that right. The motion is withdrawn.

Mr. LOTT. I yield the floor.

Mr. REID. Madam President, before the leader leaves the floor, I want to say very quickly—and we need not discuss the issue of judges—this Senate really did well last week. Around the country, there were a series of editorials that were supportive of what the Senate did regarding the appellate judge; they were all positive for the majority and minority. That was a good move.

One reason, as I indicated, is that one of the Senators is upset because his judge is taking some 1,200 days before a hearing. Also, we recognize that the number of judges approved, while we have done quite well in the last few weeks, is still way behind what it should be.

I wanted to direct a question to the majority leader. Are we still going to have a vote at 6 o'clock? We are getting telephone calls in both Cloakrooms.

Mr. LOTT. Madam President, we could manufacture a vote, as the Senator knows, and force that vote. But in light of all that is going on, I don't see that it would serve any purpose other than sort of a bed check vote. It had been my intent to have votes on amendments to the Treasury-Postal Service appropriations bill, but that is not possible. I think since we have had to take this action and file cloture, we should announce that there will not be a recorded vote or votes tonight at 6 o'clock.

The next opportunity to vote, I presume, will possibly be in the morning. I hope we can begin to make progress in some way during the day today, or early tomorrow, so votes can be held, if necessary, before the luncheon, or immediately thereafter.

Mr. REID. Madam President, I want the RECORD to reflect that during the past week, on Mondays—last Monday, we had lots and lots of votes. The preceding Friday, we had lots and lots of votes. If the public is looking at the number of votes cast, we are doing pretty well.

Mr. LOTT. Madam President, I don't know what the number was, but I think on Thursday, Friday, Monday, and Tuesday of last week and the previous week, we probably cast at least 20, 25 votes—maybe 30. So we certainly are turning out votes and getting our work

done. We had a very good week last week and the week before. I hope we are going to have one yet this week. We are just not ready to make a lot of progress today.

#### MORNING BUSINESS

Mr. LOTT. Madam President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CHANGES TO THE BUDGETARY AGGREGATES APPROPRIATIONS COMMITTEE ALLOCATION

Mr. DOMENICI. Mr. President, section 314 of the Congressional Budget Act, as amended, requires the Chairman of the Senate Budget Committee to adjust the appropriate budgetary aggregates and the allocation for the Appropriations Committee to reflect amounts provided for an earned income credit (EIC) compliance initiative.

I hereby submit revisions to the 2001 Senate Appropriations Committee allocations, pursuant to section 302 of the Congressional Budget Act, in the following amounts:

	Budget Authority	Outlays
<b>Current Allocation:</b>		
General purpose discretionary .....	\$541,593,000,000	\$554,214,000,000
Highways .....		26,920,000,000
Mass transit .....		4,639,000,000
Mandatory .....	327,787,000,000	310,215,000,000
Total .....	869,380,000,000	895,988,000,000
<b>Adjustments:</b>		
General purpose discretionary .....	+145,000,000	+146,000,000
Highways .....		
Mass transit .....		
Mandatory .....		
Total .....	+145,000,000	+146,000,000
<b>Revised Allocation:</b>		
General purpose discretionary .....	541,738,000,000	554,360,000,000
Highways .....		26,920,000,000
Mass transit .....		4,639,000,000
Mandatory .....	327,787,000,000	310,215,000,000
Total .....	869,525,000,000	896,134,000,000

I hereby submit revisions to the 2001 budget aggregates, pursuant to section 311 of the Congressional Budget Act, in the following amounts:

	Budget Authority	Outlays	Surplus
Current Allocation: Budget Resolution .....	\$1,467,698,000,000	\$1,452,935,000,000	\$50,265,000,000
Adjustments: EIC compliance initiative .....	+145,000,000	+146,000,000	-146,000,000
Revised Allocation: Budget Resolution .....	1,467,843,000,000	1,453,081,000,000	50,119,000,000

#### VICTIMS OF GUN VIOLENCE

Mr. AKAKA. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until

we act, Democrats in the Senate will read some of the names of those who lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight. Following are the names of some of the people who

were killed by gunfire one year ago Friday, Saturday, Sunday and today.

July 21: Benjamin Brown, 42, Gary, IN; Howard Brumskill, 23, Philadelphia, PA; Preston Butler, 18, Philadelphia, PA; Jennifer Casals, 57, Miami-Dade County, FL; Steven Cooks, 27,